

REMARKS

Response to Restriction

The Examiner has restricted the subject matter of Claim 1 in accordance with group definitions stated on page 3 of the Office Action mailed 12/1/06. Applicants noticed an apparent discrepancy with respect to the definition of X. The Office Action stated that X should be restricted to O or S but this limitation did not make any sense. Applicants' agent called the Examiner on March 30, 2007, to discuss the discrepancy. The Examiner agreed with Applicants' agent that the definition of X should read as it is currently defined in Claim 1. Applicants' agent also discussed the definition of "R7 and R9 together with the atoms that carry them" in view of the comment in the Office Action stating that "R1-R14 are as defined except that they don't represent a heterocyclic group". In the phone conversation with Applicants' agent, the Examiner said that "pyrrolidine" was acceptable as a definition for "R7 and R9 together with the atoms that carry them". Applicants have amended Claim 1 in accordance with this understanding of the current restriction requirement.

Applicants also wish to direct Examiner's attention to the amendment of W. Applicants deleted "if o = 1" and inserted "o is 1" in the very next line. Applicants assert this was done for purely stylistic purposes. The amendment was carried out for Claims 1 and 3.

Claim Objections

The Examiner objected to Claims 1-7, 16 and 22 for containing non-elected subject matter. As stated above, Applicants have amended Claim 1 to delete all non-elected subject matter. Applicants expressly reserve the right to file divisional applications directed to this non-elected subject matter. Claims 1-7, 16 and 22 are now deemed to be in condition for allowance.

Notwithstanding the Examiner's statement in the 12/1/06 Office Action that Claims 8-15 and 17-21 and 23-27 have been withdrawn from further consideration, Applicants respectfully assert that one or more of these claims should be subject to rejoinder in view of a finding that the compounds of Group I (Claims 1-3 as amended herein) are found to be allowable. To that end, Applicants have designated the non-elected method and process claims as "withdrawn" herein rather than "canceled".

Respectfully submitted,



Barbara E. Kurys, Reg. No.: 34,650
Attorney/Agent for Applicant

sanofi-aventis Inc. LLC
U.S. Patent Operations
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-2965
Telefax (908) 231-2626

sanofi-aventis Docket No. DEAV2003/0081 US NP